

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

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JAMES L. BROWN and ALICE  
BROWN, individually and on behalf of  
all others similarly situated,

Plaintiffs,

v.

ACCESS MIDSTREAM PARTNERS,  
L.P., *et al.*,

Defendants.

No. 3:14-cv-0591-KM

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THE SUESSENBACH FAMILY  
LIMITED PARTNERSHIP, JAMES S.  
SUESSENBACH, and GINA M.  
SUESSENBACH, individually and on  
behalf of all others similarly situated,

Plaintiffs,

v.

ACCESS MIDSTREAM PARTNERS,  
L.P., *et al.*,

Defendants.

No. 3:14-cv-01197-KM

**JOINT STIPULATION TO HOLD A DECISION ON PLAINTIFFS’  
MOTION FOR PARTIAL DISMISSAL IN ABEYANCE**

Counsel for Plaintiffs the Suessenbach Family Limited Partnership and Gina  
M. Suessenbach (“Suessenbach Plaintiffs”) and Plaintiffs James Brown and Alice

Brown (“Brown Plaintiffs”) (collectively, “Plaintiffs”) and counsel for Defendants Chesapeake Energy Corporation (“Chesapeake”), Access Midstream Partners, L.P. (“Access Midstream”), and Domenic J. Dell’Osso, Jr. (“Dell’Osso”) (collectively, “Defendants”) hereby agree and stipulate as follows:

1. On April 18, 2024, Plaintiffs filed Motions for Partial Dismissal of Certain Claims Against Chesapeake Energy Corporation pursuant to Federal Rule of Civil Procedure 41(a)(2). *Suessenbach* ECF No. 182; *Brown* ECF No. 230 (collectively, “Motions for Partial Dismissal”).

2. On May 16, 2024, Chesapeake and Dell’Osso filed a Motion for Entry of an Order Enforcing the Confirmation Order and Plan Against the *Brown-Suessenbach* Plaintiffs (“Motion for Enforcement”) in the United States Bankruptcy Court for the Southern District of Texas, concerning Plaintiffs’ claims against Chesapeake and Dell’Osso in this action. *In re Chesapeake Exploration, LLC*, No. 20-33239 (Bankr. S.D. Tex. May 16, 2024) (ECF No. 622).

3. On the same day, Chesapeake and Dell’Osso filed their Briefs in Opposition to Plaintiffs’ Motions for Partial Dismissal in this Court, asking, *inter alia*, that the Court should defer a ruling on Plaintiffs’ Motions for Partial Dismissal until the Bankruptcy Court has adjudicated Chesapeake’s Motion for Enforcement. *Suessenbach* ECF No. 189, at 12; *Brown* ECF No. 240, at 12.

4. On the same day, Access Midstream concurrently filed its Brief in Opposition to the Motions for Partial Dismissal similarly asserting that this Court should defer a ruling on Plaintiffs' Motions for Partial Dismissal until the Bankruptcy Court has adjudicated Chesapeake's Motion for Enforcement or any similar motion that may be filed by Access Midstream. *Suessenbach* ECF No. 190, at 6; *Brown* ECF No. 241, at 6.

5. In an effort to streamline these proceedings, Plaintiffs will agree to Defendants' request that this Court defer a ruling on Plaintiffs' Motions for Partial Dismissal until the Bankruptcy Court has adjudicated Chesapeake's Motion for Enforcement. In doing so, Plaintiffs do not concede that the Bankruptcy Court has jurisdiction related to Plaintiffs' Motions for Partial Dismissal, nor do Plaintiffs waive or concede any arguments concerning the Motion for Enforcement filed in the Bankruptcy Court or Plaintiffs' Motions for Partial Dismissal filed in this Court.

6. Accordingly, Plaintiffs and Defendants hereby stipulate and jointly request that this Court hold a decision on Plaintiffs' Motions for Partial Dismissal in abeyance until the Bankruptcy Court has adjudicated Chesapeake's Motion for Enforcement.

Dated: May 29, 2024

Respectfully submitted,

**KESSLER TOPAZ  
MELTZER & CHECK, LLP**

/s/ Tyler S. Graden

Joseph H. Meltzer (PA 80136)  
Tyler S. Graden (PA 205844)  
280 King of Prussia Road  
Radnor, PA 19087  
Tel: (610) 667-7706  
Fax: (610) 667-7056  
jmeltzer@ktmc.com  
tgraden@ktmc.com

**ROSENN JENKINS &  
GREENWALD LLP**

Robert D. Schaub (PA 42466)  
15 South Franklin Street  
Wilkes-Barre, PA 18711  
Tel: (570) 826-5652  
Fax: (570) 706-3424  
rschaub@rjglaw.com

*Attorneys for Suessenbach Plaintiffs and  
the Class*

**DONOVAN LITIGATION GROUP,  
LLC**

/s/ Michael D. Donovan

Michael D. Donovan (PA 51895)  
1885 Swedesford Road  
Malvern, PA 19355  
Tel: (610) 647-6067  
mdonovan@donovanlitigation  
group.com

**MYERS, BRIER & KELLY LLP**

/s/ Daniel T. Brier

Daniel T. Brier (PA 53248)  
John B. Dempsey (PA 88017)  
Richard L. Armezzani (PA 322804)  
425 Biden Street, Suite 200  
Scranton, PA 18503  
Tel: (570) 342-6100  
dbrier@mbklaw.com  
jdempsey@mbklaw.com  
rarmezzani@mbklaw.com

**KIRKLAND & ELLIS LLP**

Daniel T. Donovan  
1301 Pennsylvania Ave., NW  
Washington, DC 20004  
Tel: (202) 879-5174  
daniel.donovan@kirkland.com

*Attorneys for Defendants Chesapeake  
Energy Corporation and Domenic J.  
Dell'Oso, Jr.*

**HANGLEY ARONCHICK SEGAL  
PUDLIN & SCHILLER**

/s/ John S. Summers

John S. Summers (PA 41854)  
Alan C. Promer (PA 81006)  
Dylan J. Steinberg (PA 203222)  
One Logan Square, 27th Floor  
Philadelphia, PA 19103  
Tel: (215) 496-7044  
jsummers@hangleylegal.com  
apromer@hangleylegal.com

**MCCANN & WALL, LLC**

Robert E. McCann (PA 65735)  
Two Penn Center Plaza  
Philadelphia, PA 19102  
Tel: (215) 569-8488  
Fax: (215) 569-8288  
rmccann@mccannwallinjurylaw.com

**SALTZ, MONGELUZZI, BARRETT  
& BENDESKY, PC**

Simon B. Paris  
Patrick Howard (PA 88572)  
One Liberty Place, 52<sup>nd</sup> Floor  
1650 Market Street  
Philadelphia, PA 19103  
Tel: (215) 575-3986  
Fax: (215) 496-0999  
sparis@smbb.com  
phoward@smbb.com

*Counsel for Brown Plaintiffs and the  
Class*

dsteinberg@hangley.com

**CROWE & DUNLEVY, P.C.**

Kayci Bair Hughes  
Victor E. Morgan  
222 N. Detroit Ave., Suite 600  
Tulsa, OK 74120  
Tel: (918) 592-9800  
Fax: (918) 599-6338  
kayci.hughes@crowedunlevy.com  
victor.morgan@crowedunlevy.com

*Attorneys for Defendant Access  
Midstream Partners, L.P.*

**CERTIFICATE OF SERVICE**

I hereby certify that on May 29, 2024, a true and correct copy of the foregoing document was electronically filed with the Clerk of the Court, is available for viewing and downloading from the ECF system, and will be served by operation of the Court's electronic filing system (CM/ECF) upon all counsel of record.

/s/ Michael D. Donovan